

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

GAIL J. GALLOWAY,
Plaintiff

v.
PENNSYLVANIA BOARD OF
PROBATION AND PAROLE, *et al.*,
Defendants

: No. 1:CV-00-0649
: (Judge Rambo)

**FILED
HARRISBURG**

JUN 09 2004

MARY E. D'YANNA, CLERK
Per KJM DEPUTY CLERK

**MOTION FOR DEFAULT JUDGMENT AGAINST DEFENDANT CHARLES
GIORNESTO**

Gail Galloway, ("Plaintiff"), requests that a Default Judgment be entered against Defendant Charles Giornesto in favor of Plaintiff..

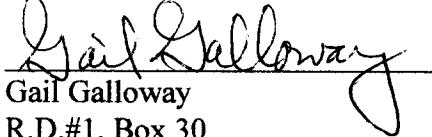
Defendant Charles Giornesto, ("Giornesto"), has continually violated the Federal Rules of Civil Procedure and had refused to answer or comply with any request for discovery by Plaintiff.

Plaintiff served Giornesto his First Set of Interrogatories on February 14, 2004 and served Giornesto with a Request for Production of Document on February 18, 2004. As of June 6, 2004, Giornesto has refused to comply and has refused to answer any Interrogatories or Produce any Documents or make himself available for a deposition. There is no excuse for a Defendant to refuse to answer Interrogatories, Produce Documents or be available for a deposition if needed when all of these things are strict requirements of the Federal Rules of Civil Procedure. Plaintiff cannot be expected to make his case when he has no access to the Defendant as required by law. If a Defendant, in this case Giornesto, decides to go into hiding, skip out, or refuse to comply with the law and answer the Interrogatories, Produce the Documents and be deposed by

the Plaintiff in a lawsuit, then he is thumbing his nose at the Court and the whole judicial system.

THEREFORE, since a considerable amount of time has passed and Defendant Giornesto still refuses to comply with Plaintiff's discovery requests, Plaintiff requests that a Default Judgment be entered against Giornesto in favor of the Plaintiff.

Respectfully submitted,


Gail Galloway

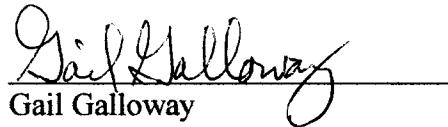
R.D.#1, Box 30
Petersburg, PA 16669
(814) 669-9164

Date: June 6, 2004

CERTIFICATE OF SERVICE

I certify that I have this day served a true and correct copy of the foregoing document upon the persons named below by First Class United States Mail at the address stated, which is the last known address of each.

Francis Filipi
Office of Attorney General
15th Floor, Strawberry Square
Harrisburg, PA 17120


Gail Galloway
R.D.#1, Box 30
Petersburg, PA 16669
814-669-9164

Date: June 7, 2004